IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 33308 of 2006(M)

PETITIONER:

AMMINI ARAVINDAKSHAN,
W/O. LATE KAIPPILLI UNNI ARAVINDAKSHAN
(PERSONAL NO.52888 CHIEF ENGINE ROOM ARTIFICER),
KAIPPILLIL HOUSE, AKSHAYA, ARIMPUR P.O.,THRISSUR,
KERALA-680 620.

BY ADV. SRI.M.V.THAMBAN
SRI.V.K.SATHYANATHAN

RESPONDENTS:

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1. THE SECRETARY TO GOVT.,
GOVERNMEN OF INDIA, MINISTRY OF DEFENCE,
NEW DELHI-11.

2. CHIEF OF NAVAL STAFF,
NAVAL HEADQUARTERS, NEW DELHI.

3. THE PRINCIPAL CONTROLLER OF DEFENCE
ACCOUNTS (PENSION), DRAUPATHI GHAR, ALLAHABAD.

BY ASST.S.G. SRI.JOHN VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 33308 of 2006

Dated this the 14th day of December, 2006

JUDGMENT

The petitioner is the widow of late Kaippillil Unni Aravindakshan who was discharged from the Indian Navy on 19.10.1979. Before the petitioner's husband got the right to claim pension, he died on 1.1.1996. The petitioner submits that her husband after his discharge from Navy and on completion of 10 years as a reservist became entitled for pensionary benefits and he having died without getting the benefit of pension, whatever retirement benefits he ought to have been granted shall be disbursed to the petitioner and she shall also be paid family pension as the widow of a deceased navy man.

2. A detailed representation has been filed as evidenced by Ext.P3 addressed to respondents 1 and 2. Learned counsel for the petitioner submits that the petitioner may get a fair treatment if this court directs the first respondent to look into the claim of the petitioner and to take decision.

3. I have heard the Assistant Solicitor General for the respondents.

4. In the circumstances, there shall be an order directing the first respondent to consider Ext.P3 and take appropriate decision, in

accordance with law, and communicate the order to the petitioner within three months from the date of receipt of a copy of this judgment by the first respondent.

K.K.DENESAN, JUDGE

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